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UNITED STATES DISTRICT COURT
FOR THE
EASTERN DISTRICT OF NEW YORK

NOTICE OF APPEAL AND
MOTION FOR EXTENSION OF TIME

UNITED STATES OF AMERICA
PLAINTIFF - APPELLEE

-V-

DONNELL RUSSELL

Also known as Don Russell
DEFENDANT - APPELLANT

1:20-cr-00427-AMD

Docket No.

1. Notice is hereby given that Donnell Russell hereby appeals
(party)
to the United States Court of Appeals for the Second Circuit from the decision entered in this action
on November 21, 2022. INTERSTATE STALKING (Title 18, United States Code, Sections 2261A(2)(B), 2261(b)(5), 2 and 3551 et seq.)
(date) (1)

2. In the event that this form was not received in the Clerk's Office within the required time


Donnell Russell respectfully requests the court to grant an extension of time in accordance with FRAP 4(a)(5) for the following reasons which constitute "excusable neglect" or "good cause" (state reasons): INEFFECTIVE COUNSEL

Based on the Judgement entered on November 21, 2022

My Court Appointed Attorney Douglas Morris never challenged the fact that the grand jury proceedings were held in secrecy violating my Sixth Amendment constitutional rights. I didn't learn the content of the sealed indictment until several months after the grand jury indicted me. I was told by my Court appointed attorney that the Government has a negative disposition of you (me) for refusing their request to cooperate in their case against R. Kelly. In Oct 2021 I hired a private attorney Michael Freedmen. Despite several requests, Atty. Freedmen never prepared me for trial nor questioned any of my witnesses who were willing to testify on my behalf. He never filed my affirmative defense, nor did we review the discovery with his investigator. He also, never sought any expert witnesses to assist him with my defense. Also, he never challenged jurisdiction. My attorney advised me to plead guilty in exchange for probation with no regard to me maintaining my innocence. He stated if I were to continue adjudicating my case it would cost me \$125K in addition to the \$125K I already paid him. He predicted the result would be guilty plus 5 years imprisonment. He reminded me of the 30 years Judge Ann Donnelly gave R. Kelly and stated that "Judge Donnelly is incapable of being impartial." My attorney knew that I was planning to rescind my guilty plea. The day before the notice of appeal had to be filed my attorney stated he couldn't represent me in the appeal and the appeal board would rule against me because Judge Donnelly had given me less than the federal guidelines required. Throughout this entire case he allowed everyone to assume that I was R. Kelly's manager and I had been working for him for several years. When the 100% fact is I was I was never his manager. I was an investor/consultant who was not giving any disclosure of what he was involved in before I lost over \$200K investing in him, I was maliciously placed in the position as his manager by Government to uphold the RICO conviction against him. My attorney never alerted the Judge that I only spent 8 months around him attempting to protect my investment. (From July 2018 to March 2019) Also, he didn't not make the judge aware of the conditions of my bond, which prohibited me from engaging any of the Jane Doe's in any capacity. All the aforementioned facts are why I move the courts to consider my motion for an extension of time and grant me permission to move forward with my appeal.

- a. In further support of this request, Donnell Russell states that this
(party)

Court's decision was received on November 21, 2022 and that this form was mailed to the
court on May 8, 2023. (date)
(date)


Signature

Donnell Russell

Printed Name

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Address

Date: May 8, 2023

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Telephone No. (with area code)